

C O P Y

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June 23, 1955

SEN 92-1958

CONCORD, N.H.

Honorable Byron Redman
Chairman, State Racing Commission
Concord, New Hampshire

Dear Mr. Redman:

You have inquired whether the Racing Commission is legally authorized to issue a license at this time to the New Hampshire Jockey Club, Inc. to conduct the 1955 racing meet in light of the opinion of this office of June 17, 1955. In my opinion your Commission has authority under the law to issue a license to the New Hampshire Jockey Club, Inc. at this time.

I am advised that the Racing Commission has in its possession an application for license from the New Hampshire Jockey Club, Inc. accompanied by a certified list of the holders of record of stock in the New Hampshire Jockey Club, Inc. under date of May 27, 1955. At the request of your Commission, Assistant Attorney General Arthur E. Bean has assisted your Commission in a preliminary examination of this list with particular reference to holdings in excess of five hundred shares inasmuch as more than sixty per cent of the stock of the New Hampshire Jockey Club, Inc. appears to be so held. This list is *prima facie* accurate and is a sufficient apparent compliance with the statute to authorize the issuance of a license by your Commission at this time.

At your further request Assistant Attorney General Bean is continuing to work with your Commission in connection with examination of this list with particular reference to a few individual holdings which appear to be in the names of brokerage houses, and for such additional investigation as you may assign.

I believe that it goes without saying that the assistance of this office will continue to be available to your Commission at any time you desire it.

Sincerely,

Louis C. Wyman
Attorney General

W/D c/c gov Connell